

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA**

DEWAYNE WASHINGTON,

Plaintiff,

vs.

J. TURNER, *et al*,

Defendants.

Case No. 2:01-cv-01677-JKS(PC)

**ORDER SETTING DATES FOR  
FINAL PRETRIAL CONFERENCE,  
DEADLINES FOR PRETRIAL  
DOCUMENTS, AND TRIAL**

**I. CASE STATUS**

All dispositive motions have been ruled upon. Both parties have signified readiness and availability for trial during the last two weeks of September 2007.

Trial is set by jury on **Monday, September 24, 2007, at 9:30 o'clock a.m.**, in Courtroom No. 6, United States Courthouse, 501 I Street, Sacramento, California. The trial is estimated to require five (5) days, including jury selection. To facilitate the trial process, a Final Pretrial Conference will be held immediately preceding the start of the trial at **9:00 o'clock a.m., Monday, September 24, 2007.**

**II. PRETRIAL PROCEDURES**

A Final Pretrial Conference, pursuant to Rule 16(d) of the Federal Rules of Civil Procedure, is intended to provide a meaningful and efficient forum for the resolution of pretrial conflicts, discourage wasteful trial practices, and thereby improve the quality of the trial. The conference is designed to accomplish the following: limit and define the issues for trial; determine an agreed-upon statement of facts; resolve objections and other matters relative to witnesses and exhibits; and dispose of any final motions. In compliance with the Court's Order Setting Dates for Final Pretrial Conference, Deadlines for Pretrial Documents, and Trial entered December 5, 2006, at Docket No.135, the parties submitted: (1) trial briefs; (2) final lists of witnesses who will testify at trial; (3) final exhibit lists; (4) the Judge's Copy of trial exhibits (lodged with the Clerk of Court); (5) proposed jury instructions; (6) proposed *voir dire* questions; and (7) proposed special verdict questions (collectively "Pretrial Documents"). Except as modified herein, the Order at Docket No. 135 remains in force and effect.

Any amendments to the proposed jury instructions, *voir dire* questions, or special verdict questions must be submitted not later than **August 24, 2007**. Each party may, but is not required to, file a final supplemental trial brief not later than **September 14, 2007**. Finally, a Final Pretrial Conference will be held to discuss any remaining issues that need to be resolved on the first day set for trial immediately prior to trial.

Prior to the Final Pretrial Conference, the Court will review the record, the joint Proposed Pretrial Orders, and the supplemental trial briefs, which address issues that could not be resolved by the parties prior to the submission of the Proposed Pretrial Order. The parties should be prepared to discuss all unresolved issues at the Final Pretrial Conference. Following the conclusion of the Final Pretrial Conference, the Court will issue a Final Pretrial Order that will supersede the pleadings, determine the issues to be submitted at trial, and govern all further proceedings.

### **III. SUMMARY OF DEADLINES**

A summary of the deadlines imposed by this Order is as follows:

Amended Pretrial Documents (Optional)	<b>August 24, 2007</b>
Final Supplemental Trial Briefs (Optional)	<b>September 14, 2007</b>
Final Pretrial Conference/Trial	<b>September 24, 2007</b>

DATED at Anchorage, Alaska this 5th day of June 2007.

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s/ James K. Singleton, Jr.  
JAMES K. SINGLETON, JR.  
United States District Court Judge